

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HENRY WATKINS	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. 02-CV-2881
	:	
PENNSYLVANIA BOARD OF PROBATION	:	
& PAROLE, EDWARD JONES, AND	:	
MICHAEL BUKATA	:	
	:	
Defendants.	:	

PLAINTIFF S RESPONSE TO DEFENDANTS MOTION FOR PROTECTIVE ORDER

Plaintiff, Henry Watkins, hereby opposes defendants last minute Motion for Protective Order. Plaintiff incorporates herein the accompanying Memorandum of Law and exhibits as support for this Response and avers as follows:

1. Denied in part. Denied that plaintiff was discriminated against only from 1999 through 2001, as he was discriminated against based upon defendants systemic and continuous pattern and practice of discrimination and retaliation against African American board agents, including himself, which began in 1998 when he was promoted to Parole Supervisor and defendants Jones was promoted to District Director. Admitted that plaintiff worked in the Philadelphia office. Admitted that he was terminated based upon his race, i.e. African American.

2. Denied in part. On October 17, 2002, plaintiff noticed the deposition of Allen Castor for November 22, 2002. Admitted that defendants did not file this motion until the last minute.

3. Denied. As Chairman of the Board, Mr. Castor personally negotiated and signed (in May, 1995) the settlement agreement of the underlying racial discrimination case brought by African American Parole Board agents, including the plaintiff in this case, against the Parole Board and several individual defendants (Williams v. Pennsylvania Board of Probation and Parole, et al., No. 93-CV-5926), which plaintiff alleges establishes a pattern of discrimination. Further denied because the settlement agreement is identified in plaintiff's Amended Complaint several times See Amended Complaint ¶¶ 5,7,8,17, attached hereto as Exhibit 1).

5. Denied that Mr. Castor has no involvement with any of the issues in this case.

6. Denied. Mr. Castor, who negotiated and settled the Williams case, and is a current Board member, has knowledge of the Board's conduct regarding African American employees.

7. Denied.

8. Denied.

WHEREFORE, plaintiff respectfully requests that this Court deny defendants' Motion for Protective Order, and order defendants to produce Allen Castor on November 22, 2002, the date

he was noticed to appear.

ROBERT J. SUGARMAN
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Dated: November 20, 2002